PROVINCE OF SASKATCHEWAN

10-11

PLAN FOR 2010-11

MINISTRY OF FIRST NATIONS
AND MÉTIS RELATIONS

MINISTRY PLAN FOR 2010-11

Statement from the Minister

I am pleased to present the Ministry's Plan for the upcoming year, which is in alignment with Government's direction for 2010-11.

The 2010-11 Plan for the First Nations and Métis Relations (FNMR) is both prudent and forward-looking. Prudent in that the Ministry recognizes there are limits to the Government's resources and forward-looking in that resources are being used to support both economic development initiatives and social policy development. These initiatives, which include implementation of enterprise regions in the northern district, additional funding for the Clarence Campeau Development Fund and implementation of a Northern Social Policy Unit will assist First Nations, Métis, and northerners to achieve personal goals and will assist them in participating in the economic growth of this province.

I accept responsibility for furthering Government's commitments while ensuring the Ministry is managed with integrity and professionalism, with a commitment to Government's corporate values and principles. Examining programs and services to ensure the most effective and efficient delivery possible is a key priority for all ministries and an activity that will be reported on as results are achieved.

I will report on the progress made toward this Plan, within the financial parameters provided to my Ministry, in the Ministry's annual report.

The Honourable Bill Hutchinson
Minister of First Nations and Métis Relations

Response to Government Direction

Ministry Plans for 2010-11 align with Government's **vision for a secure and prosperous Saskatchewan, leading the country in economic and population growth, while providing opportunity for a high quality of life for all.** Government's vision, goals, and priorities for the upcoming year are described in the ***Government Direction for 2010-11: Balanced. Forward-Looking. Responsible.***

Government's Plan and Budget for 2010-11 are about finding balance: responsibly managing expenditures, ensuring a solid revenue base, minimizing debt levels, and ensuring everyone can benefit from the province's economic prosperity.

To maintain the province's economic momentum, steps need to be taken to slow the growth in government expenditures. Direction has been provided to ministries to find ways to improve the effectiveness and efficiency of government's programs and services, and to ensure the best use of public funds. Efforts will focus on responsible financial management and innovative solutions to improve services to the public while reducing government's overall footprint.

Similar to the ministry plans presented last year, the Plan for 2010-11 communicates a high-level framework for the Ministry's key activities and identifies how the Ministry works to support Government's goals and priorities.

Mission Statement

The Ministry strengthens relationships between First Nations and non-First Nations peoples in the spirit of the Treaties and ensures that First Nations and Métis peoples are consulted on provincial legislation and policies that may impact their legal rights and interests. The Ministry works with and beside First Nations, Métis and northern peoples, colleague ministries, the federal government, local governments, and business to ensure that Saskatchewan First Nations and Métis peoples and northerners have opportunities to participate in and benefit from economic and social development.

Strategies and Actions

Government Goal – Economic Growth

Sustain **Economic Growth** for the benefit of Saskatchewan people, ensuring the economy is ready for growth and positioning Saskatchewan to meet the challenges of economic and population growth and development.

Strategy	Key 2010-11 Actions
Provide government oversight for effective consultation and accommodation policy and participation	• Coordinate implementation of the new *Government of Saskatchewan First Nations and Métis Consultation Policy Framework* (CPF) with Ministries and agencies considering input from First Nations, Métis, and industry and other stakeholders, court rulings and provincial policy. • Based on the new CPF: ~ work with consulting ministries to update or develop new consultation and accommodation operational procedures; and, ~ develop and deliver training to Ministry staff and external stakeholders. • Update funding criteria for the First Nations and Métis Consultation Participation Fund, considering the CPF, and manage it strategically to ensure that duty to consult obligations are met and relationships with First Nation and Métis are strengthened. • Coordinate and lead the delivery of a process (exploratory phase) to engage First Nations, Métis, and industry in addressing the outstanding issues from the 2008 Roundtable on Consultation and Accommodation: economic benefit sharing, environmental stewardship, traditional use studies and mapping, appropriate consultation capacity, and dispute resolution. • Consult with First Nations and Métis peoples on all legislation/policy that has potential to impact their jurisdiction.

Strategy	Key 2010-11 Actions
Advance economic development for First Nations, Métis, and northern people	• Develop strategic policy, in partnership with Enterprise Saskatchewan, to enhance the participation of First Nations and Métis people in provincial economic growth strategies. • Assist northern businesses and non-profit organizations by providing Northern Development Fund loans and grants, plus business consulting and support services. • Implement three Enterprise Regions in the North to support business and industry competitiveness, maximize economic development opportunities, and sustain economic growth. • Support northern Saskatchewan's (estimated 600+) commercial fishers' efforts to transition from a monopoly marketing agreement with Canada to an open, competitive market and support their exploration and implementation of alternative models that will broaden processing and marketing options for their catch. • Strengthen northerners' awareness and understanding of northern mining and energy projects by building the capacity of FNMR's new Northern Mines and Benefits Unit. • Continue to manage the Northern Saskatchewan Environmental Quality Committee to assist northern communities to monitor and provide input into uranium mining developments. • Collaborate with colleague ministries and industry to improve the efficiency of the northern mineral development regulatory framework. • Work with a number of agencies including the Clarence Campeau Development Fund, the Métis Nation – Saskatchewan (MNS), Enterprise Saskatchewan, the Saskatchewan Métis Economic Development Corporation, and Indian and Northern Affairs Office of the Federal Interlocutor (OFI) for Métis and Non-Status Indians on the development of a Saskatchewan Métis Economic Development Strategy. • Co-lead the review of the Northern Labour Market Committee mandate and operations, and recommend any necessary improvements.
Strengthen the investment framework for the northern industry	• Strengthen the capacity of the Ministry's Northern Mines and Benefits Unit, including improvements to the delivery of the current Northern Saskatchewan Environmental Quality Committee to support parties' consultations and improved information sharing around northern mineral/energy exploration activities and developments. • In partnership with other regulatory, developmental, and industrial partners, better co-ordinate and streamline decision making frameworks affecting northern mineral development projects.
Engage northern people in the provincial workforce	• Assist in maximizing employment opportunities for First Nations, Métis people, and northerners in the labour market.
Foster economic and social development through the Gaming Agreements	• Manage the Province's obligations under the First Nations Gaming Agreement with respect to the First Nations Trust and Community Development Corporations. • Manage the Province's obligations under the *Saskatchewan Gaming Corporation Act* and the agreement between the Province and the MNS with respect to the Métis Development Fund.

Government Goal – Security

Secure Saskatchewan as a safe place to live and raise a family where people are confident in their future, ensuring the people of Saskatchewan benefit from the growing economy.

Strategy	Key 2010-11 Actions
Improve the well-being of at-risk First Nations and northern Saskatchewan residents	• Create a new Northern Social Policy Unit, in partnership with northern stakeholders and provincial ministries, to develop a Northern Action Plan to address substance abuse and suicide prevention efforts in northern Saskatchewan.
Work to ensure that all First Nations children with intensive medical needs receive care similar to that of other children	• Lead the negotiations on behalf of the provincial government with Canada and the Federation of Saskatchewan Indian Nations (FSIN) on the development of a joint implementation on *Jordan`s Principle*. • Lead an interministerial committee designed to advise the province's negotiating team.

Government Goal – Promises

Keep Government's **Promises** and fulfill the commitments of the election, operating with integrity and transparency, accountable to the people of Saskatchewan.

Strategy	Key 2010-11 Actions
Fulfill the Province's land claim obligations with First Nations	• Coordinate the implementation of the Province's obligations arising from the Treaty Land Entitlement (TLE) Settlement Agreements and specific claims for land selections. • Continue to negotiate two TLE claims with the Mistawasis First Nation and Big Island Lake Cree First Nation. • Ongoing collaboration and policy development with other ministries to address First Nations lands issues such as requests for land exchanges, requests from out-of-province First Nations for reserve land in Saskatchewan or other land matters.
Strengthen partnerships with First Nations, Métis and northern people, and the federal government to address social and economic issues and opportunities	• Identify, assess, and promote opportunities and new initiatives for partnership development with First Nations and Métis organizations and northern people in collaboration with other ministries, communities, and the federal government. • Continue working with the FSIN to address First Nations issues through the Bilateral Protocol. • Continue working with the MNS and Canada to address Métis governance and capacity issues. • Continue to lead the interministry committee on urban Aboriginal issues and work with the OFI in relation to the delivery of the federal Urban Aboriginal Strategy. • Continue self-government negotiations with the Meadow Lake First Nations and Canada. • Engage in work in support of the Aboriginal Affairs Working Group made up of ministers responsible for Aboriginal Affairs and the leaders of national Aboriginal organizations on issues including education, economic development, violence against Aboriginal women, and missing and murdered Aboriginal women. • Work with Indian and Northern Affairs Canada, Statistics Canada, and provincial and territorial officials on developing a common set of socio-economic indicators for First Nations, Métis, and Inuit in relation to data and measurement issues. • Clarify the Province's role at the Treaty Table which is facilitated by the Office of the Treaty Commissioner.

Strategy	Key 2010-11 Actions
Create positive public awareness about First Nations and Métis issues and the contributions they make to the province	• Work with the Ministry of Tourism, Parks, Culture and Sport, the MNS, and other organizations to honour the Trails of 1885 celebrations in 2010. • Ensure, wherever possible, that efforts related to celebrating 2010 as the Year of the Métis in Saskatchewan act as public education tools through news releases and other public events.
Improve the effectiveness and efficiency of the Ministry's programs and services so as to ensure the best use of public funds	• Implement a management practice of assessment and continuous improvement to ensure a robust, objective, and multi-year assessment function. • Develop an interministry database to facilitate effective and efficient consultations over the next two-years.

Performance Measures

Measure	Baseline / Trend Line Information
Progress on developing and delivering Government of Saskatchewan First Nations and Métis Consultation Policy Framework (CPF)	• FNMR engaged Saskatchewan First Nations, Métis, industry, and key stakeholders at the Roundtable Conference on First Nations and Métis Consultation and Accommodation in May, 2008. A number of summits and meetings were then held with First Nation and Métis leaders. • FNMR released the Draft First Nations and Métis Consultation Policy Framework on December 22, 2008 to all First Nations, Métis, industry, and stakeholder leaders for review. • Release of the CPF was moved from the fall of 2009 until April, 2010, pending policy discussions with the FSIN and MNS in March, 2010.

Measure Description

The courts have said that the purpose of consultation is to advance and establish reconciliation through respectful and lasting relationships between First Nations and Métis people and governments. Consultation must take place before legislation, policy program, permit or other activity that could adversely affect Treaty or First Nations or Métis rights is developed or put in place. The risks of not undertaking the duty to consult in a rigorous, coordinated, and meaningful way include delays to resource development and revenues to the Province due to legal challenges, reduced confidence in Saskatchewan's economy, strained relationships with First Nations and Métis groups, and potential civil unrest.

The Government committed to develop a new policy that protects First Nations and Métis rights and interests and the Province's duty to consult and accommodate. FNMR's responsibility is to develop a policy that reflects court decisions and Government's interests and strategic direction, and to monitor Government's progress in implementing the policy.

Measure	Baseline / Trend Line Information

Number of First Nations and Métis organizations supported through consultation participation grants

Fiscal Year	Amount	# of Applications Supported
2009-10 (grants committed to March 31, 2010)	$327,350	11
2008-09	$2.0M	44
2007-08	$1.3M	19

Source: FNMR, Consultation Branch

Measure Description

The First Nations and Métis Consultation Participation Fund provides assistance to First Nations and Métis to participate in consultations where government activities, decisions or actions may potentially impact Treaty or Aboriginal rights. The fund has offset costs related to government consultations, such as communication, outreach, education, traditional land use, participation, information interpretation, and translation costs. Activities that generally trigger the duty to consult include:

- new legislation, policy or plans that may limit or alter the use of Crown lands and renewable resources;
- decisions that limit or alter quality and quantity of fish and wildlife or access to these resources;
- decisions related to harvesting and processing of timber or extraction and production of minerals on Crown surface lands;
- actions that restrict the use of unoccupied Crown land, for example through lease, grant or sale; and,
- land use planning and approvals for environmental protection.

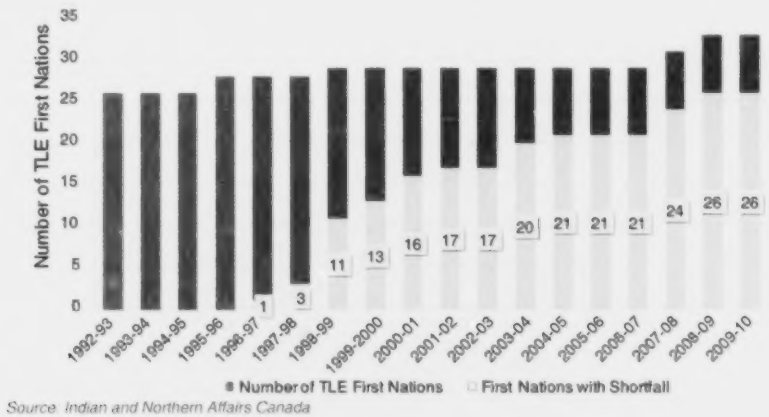
Demand for the fund was reduced in 2009-10. The Ministry has little influence over this measure as the level of economic activity in the province is a significant driver of demand for the fund and the level of fund expenditures. The pressures on and allocations from the fund reflect trends in exploration and development and government regulatory change. It is evident that there has been less economic activity this year, resulting in fewer consultations needing to be funded. With the economy picking up, exploration and development activities increasing, and a number of major regulatory reviews scheduled for 2010-11, demands on the fund are expected to increase in the future.

A process that enables government to resolve the five outstanding issues from the 2008 Roundtable on First Nation and Métis Consultation and Accommodation

Baseline information to be determined

Measure Description

Cabinet directed FNMR to implement an exploratory phase to address the five outstanding issues from the 2008 Roundtable on First Nation and Métis Consultation and Accommodation, which will not be addressed in the Consultation Policy Framework. First Nations, Métis, industry, and government officials will be engaged in a collaborative process to research and analyze options. The outstanding issues are economic benefit sharing, environmental stewardship, traditional use and territory mapping, appropriate consultation capacity and dispute resolution. Launch of the exploratory phase is expected to coincide with that of the new Consultation Policy Framework.

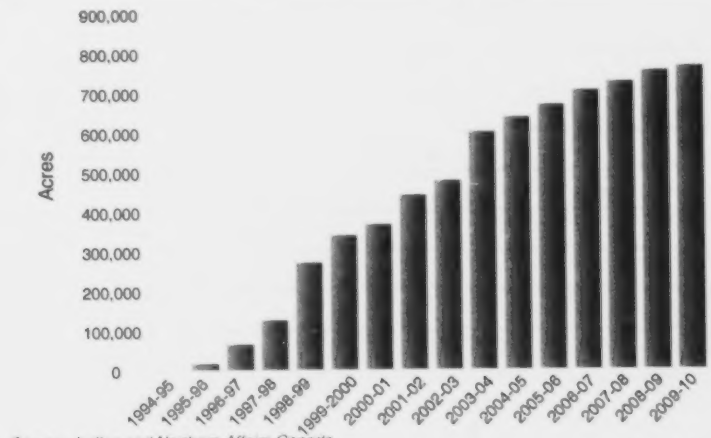
Measure	Baseline / Trend Line Information
Treaty Land Entitlement (TLE) First Nations that have achieved their shortfall acres	

Source: Indian and Northern Affairs Canada

Measure Description

To date, 33 TLE Settlement Agreements have been signed between Saskatchewan Entitlement First Nations (EFN) and Canada. EFNs must acquire and transfer to reserve status their shortfall acres amount. Shortfall acres are the amount of land that should have been received but was not received at the time the original Indian reserve was surveyed. The value for shortfall acres is obtained by taking the number of First Nation members that were not counted at first survey and multiplying by 128 acres. Each EFN must transfer their shortfall acres to reserve status so that the Treaty obligation to land will be met. Of the current 33 EFNs, 26 have obtained their shortfall acres. The above chart represents the number of First Nations that have transferred their shortfall acres to reserve status since 1992. The EFNs that have achieved their total shortfall acres account for 445,630 acres or 81 per cent of total shortfall acres.

Progress related to this measure is a key indicator of the Ministry's success in ensuring that all provincial obligations related to TLE are fulfilled. The reserve creation process is complex and requires the co-operation of all three parties to the agreements.

Measure	Baseline / Trend Line Information
Creation of TLE reserve acres	

Source: Indian and Northern Affairs Canada

Measure Description

This chart shows the amount of land acquired and transferred to reserve status (reserve acres) each year since the *Saskatchewan TLE Framework Agreement* was signed in 1992.

Reserve creation began in 1994, and the total amount of land that has transferred to reserve status under the separate TLE Agreements is 765,157 acres with a current potential of 2.3 million acres to transfer to reserve status. The 2.3 million acres accounts for the 33 EFNs equity acres. While shortfall acres is the minimum amount that must be transferred to reserve status, equity acres represents the maximum that EFNs may transfer.

All three parties to the TLE Agreements have a role in addressing outstanding issues prior to the transfer of the lands to reserve status. FNMR serves as a single window into the provincial government and coordinates requests pursuant to the TLE Agreements in addition to being responsible for ensuring that all provincial interests have been addressed prior to reserve creation. The provincial role has timelines that are a part of each TLE Agreement and must be adhered to.

This measure, along with the previous measure, is a key indicator of the Ministry's success in ensuring that all provincial obligations related to TLE are fulfilled.

Measure	Baseline / Trend Line Information
Number of collaborative provincial social policies and initiatives influenced by FNMR that have a direct impact on First Nations, Métis, and northern people	Baseline information to be determined

Measure Description
FNMR influences provincial policies and initiatives through involvement in education, post-secondary education training and employment, health and social services, economic development, as well as environment and resource management.

The policy developments include, but are not limited to, the work required with implementing *Jordan's Principle*, negotiating self-government, facilitating economic development strategies, including Northern Enterprise Regions, supporting the formal relationships with the FSIN and the MNS, and building relationships with the Office of the Treaty Commissioner, First Nations, Métis, and northern communities, and the Government of Canada.

Develop a comprehensive Northern Action Plan to address social and economic issues and opportunities in the North	Baseline information to be determined

Measure Description
The government has made a commitment to address the high incidence of drug use and suicide by youth in Northern Saskatchewan.

FNMR along with Ministries of Justice; Health; Social Services; Advanced Education, Employment and Labour; Tourism, Parks, Culture and Sport; Education; and, Corrections, Public Safety and Policing will work with key northern stakeholders to develop a comprehensive strategy to address social and economic issues in the North.

Following the development of an action plan, baseline data and measurements will be developed to measure progress in key social and economic areas.

Financial Summary

Highlights of Appropriation and Expense 2010-11

2010-11 Estimates	(in thousands of dollars)
Central Management and Services	3,454
Policy Coordination and Support for Aboriginal Organizations	5,417
Gaming Agreements	68,128
Treaty Land Entitlement	4,891
Northern Affairs	3,843
Ministry Appropriation	**85,733**
Capital Asset Acquisitions	0
Capital Asset Amortization	7
Ministry Expense	**85,740**
FTE Staff Complement	**65.0**

For more information, see the Budget Estimates at: **http://www.finance.gov.sk.ca/budget/2010-11**

Ministry Spending by Subvote

Northern Affairs 4%
Central Management and Services 4%
Treaty Land Entitlement 6%
Policy Coordination and Aboriginal Organizations 6%
* Gaming Agreements 80%

**This represents flow through funding to First Nations Trust, Community Development Corporations and Clarence Campeau Development Fund*

HIGHLIGHTS

In 2010-11 the Ministry of First Nations and Métis Relations (FNMR) plans to:

- Manage the Government's approach to First Nations and Métis issues by building and maintaining partnerships and relationships and providing leadership within government on First Nations and Métis issues.
- Meet government's financial obligations pursuant to Treaty Land Entitlement (TLE) Agreements through $4.9 million in funding in 2010-11. In addition, $68.1 million will meet obligations under the Gaming Agreements, which includes an additional $1.4 million for the Clarence Campeau Development Fund.
- $3 million in funding to strategically manage the First Nation and Métis Consultation Participation Fund to ensure that duty to consult obligations are met and relationships with First Nation and Métis are strengthened.
- Develop a new Northern Social Policy Unit that will work with other ministries to improve the lives of northern Saskatchewan people through the development of a Northern Action Plan.
- Work to ensure that all First Nations children with intensive medical needs get care similar to that of other children through the development of a joint plan with Canada and the FSIN to implement *Jordan's Principle*.
- Strengthen the capacity of the Ministry's Northern Mines and Benefits Unit, including improvements to the delivery of the current Northern Saskatchewan Environmental Quality Committee program to support parties' consultations and improved information sharing around northern mineral/energy exploration activities and developments.
- Fund $1.4 million to ensure the Northern Enterprise Regions are fully implemented and continue to work with stakeholders in key sectors of the North to increase business and industry competitiveness and support the North to reach its economic potential and to compete globally.
- Support northern Saskatchewan's (estimated 600+) commercial fishers' efforts to transition from a monopoly marketing agreement with Canada to an open, competitive market and support their exploration and implementation of alternative models that will broaden processing and marketing options for their catch.

For More Information

Please visit the Ministry's website at www.fnmr.gov.sk.ca for more information on the Ministry's programs and services or call (306) 787-6250